

**CALIFORNIA COASTAL COMMISSION**

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**TU 16b**STAFF REPORT AND RECOMMENDATIONON CONSISTENCY DETERMINATION

Consistency Determination

No. CD-48-98

Staff: TNP-SF

File Date: April 10, 1998

45th Day: May 25, 1998

Commission Meeting: May 13, 1998

FEDERAL AGENCY: CORPS OF ENGINEERSDEVELOPMENTLOCATION: Santa Barbara Harbor and East Beach, City of Santa Barbara (Exhibit 1)DEVELOPMENTDESCRIPTION: Six-year Program for Maintenance Dredging with beach and surf zone disposalSUBSTANTIVE FILE DOCUMENTS:

1. Draft Environmental Assessment for Santa Barbara Harbor Maintenance Dredging (April 1998)
2. CD-21-83 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)
3. CD-25-86 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)
4. CD-46-89 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)
5. CD-58-90 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)
6. CD-79-91 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)
7. ND-4-92 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)
8. CD-40-92 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)
9. CD-32-93 (Corps of Engineers, maintenance dredging, Santa Barbara Harbor)

## EXECUTIVE SUMMARY

The Corps of Engineers (Corps) has submitted a consistency determination for six years of maintenance dredging, of up to 600,000 cubic yards of material annually, in Santa Barbara Harbor, with disposal of the material on East Beach (Exhibits 1 & 2). The beach area surrounding Mission Creek, west of the primary disposal area, may also be used for beach disposal of dredged materials if requested by the City of Santa Barbara (Exhibit 3). Disposal is to take place in one of two ways: between October and February material will be placed on the beach; between March 1 and April 30 material will be placed in the surf zone. The Commission concurred with a similar project for three-year maintenance dredging in 1993.

The disposal of the material will eliminate benthic organisms in the immediate area and would increase turbidity and associated impacts on fish and filter feeders. However, these impacts will be short term and rapid recolonization is expected.

Several sensitive species are found at the project location: western snowy plover, California grunion, and tidewater gobies. Steelhead trout may also utilize Mission Creek. Although found at the site, the snowy plover does not breed or nest in the immediate project area. The California grunion use the beaches of Santa Barbara Harbor for spawning from March through mid September. Disposal during spawning season could result in washing the grunion eggs out to sea by sand slurry, burying the eggs too deep to prevent hatching, burying the eggs in the high intertidal zone, or discouraging spawning because of increased turbidity. To reduce impacts, dredge material will be disposed in the surf zone during March and April. Under previous dredging and disposal projects, the Corps monitored for effects on the western snowy plover and the California grunion. The Corps' monitoring found no significant impacts to either species, if disposal of dredged materials was completed by April 30. The Corps proposes to continue a monitoring program to ensure that the timing of the project will not negatively impact either species. If the California grunion begin spawning in significant numbers or if the snowy plover begin nesting on East beach before April 30 of each year, the Corps has agreed to coordinate with the Coastal Commission, the California Department of Fish and Game, and the U.S. Fish and Wildlife Service to develop mitigation measures to protect the species.

To protect the tidewater goby and steelhead trout, no disposal of dredge materials will occur within Mission Creek. Material will also be placed to avoid any blockage of Mission Creek. Based on these measures to avoid impacts to tidewater goby and steelhead trout and the commitment to continue monitoring to prevent impacts to grunion and snowy plover, the project is consistent with the sensitive resource policies of the Coastal Act.

The project will maintain access to the harbor and protect boating resources consistent with Section 30234 of the Coastal Act, and will avoid the peak recreation season. Disposal of dredge materials on the beach will disrupt recreation in the vicinity of the discharge. However, the project will be completed before peak recreation season and will help replenish beach sand for long term recreational benefits. The project will result in a net benefit to coastal recreation, and is consistent with the access and recreation policies of the Coastal Act.

STAFF SUMMARY AND RECOMMENDATION:I. Project Description.

The Corps proposes to conduct maintenance dredging for Santa Barbara Harbor from fiscal year 1999 through 2005 (Exhibits 1 & 2). The maintenance dredging program includes the following: (1) harbor channel dredging to design depths and widths; (2) sand trap maintenance within the entrance and navigation channels; (3) discharge of dredged material onto East Beach; (4) an environmental monitoring program; and (5) single-point surf zone discharge during the months of March and April. The project also includes equipment storage and fencing of the storage area (a section of sandy beach adjacent to Cabrillo Avenue) (see Exhibit 2). Disposal of the dredge material is proposed for East Beach from October 1 to March 1. From March 1 to April 30, disposal would be a single point discharge into the intertidal zone. A pipeline will be placed from West Beach, under Stearns Wharf, and along East Beach. The pipeline would be buried from the point where it first reaches the beach (harborside of Sterns Wharf) to the beginning of the disposal area. Surface pipe may be laid within the authorized disposal areas and would be removed from the beach at the end of the dredge cycle each year for the summer months.

A secondary disposal site is also proposed upcoast of the primary disposal site, between Mission and Laguna Creeks (Exhibit 3). This site will be used only if requested by the City of Santa Barbara to replenish the beach area in the event of erosion due to storms and flooding. No discharge would occur in the creeks.

II. Status of Local Coastal Program.

The standard of review for federal consistency determinations is the policies of Chapter 3 of the Coastal Act, and not the Local Coastal Program (LCP) of the affected area. If the LCP has been certified by the Commission and incorporated into the CCMP, it can be used to provide guidance in applying Chapter 3 policies in light of local circumstances. If the LCP has not been incorporated into the CCMP, it cannot be used to guide the Commission's decision, but it can be used as background information. The City of Santa Barbara LCP has been incorporated into the CCMP.

III. Federal Agency's Consistency Determination. The Corps of Engineers has determined the project to be consistent to the maximum extent practicable with the California Coastal Management Program.

IV. Staff Recommendation:

The staff recommends that the Commission adopt the following motion:

MOTION: I move that the Commission concur with the Corps' consistency determination.

The staff recommends a YES vote on this motion. A majority vote in the affirmative will result in adoption of the following resolution:

### Concurrence

The Commission hereby *concurs* with the consistency determination made by the Corps of Engineers for the proposed project, finding that the project is consistent to the maximum extent practicable with the California Coastal Management Program.

### V. Findings and Declarations:

The Commission finds and declares as follows:

#### A. Marine Resources and Habitat. Section 30230 of the Coastal Act provides that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30233 of the Coastal Act provides, in part, that:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

...

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

....

The proposed project involves maintenance dredging of the navigational channels within Santa Barbara Harbor with beach disposal of dredged material at East Beach. This project will result in

dredging and fill of open coastal waters, and as such requires analysis of consistency with Section 30233 of the Coastal Act. Among other requirements, that Section restricts dredging and filling activities to eight allowable uses. The proposed project is necessary to maintain and restore to previous dredged depths a navigable channel in the harbor, and this activity is consistent with the uses permitted by Section 30233(a)(2). Therefore, the Commission finds that proposed project to be consistent with the allowable-use requirement of Section 30233(a) of the Coastal Act. Section 30233(a) also requires an analysis of alternatives and mitigation. The dredging operation will result in elimination of benthic organisms in the existing channels and a temporary increase in turbidity, which could effect fish and filter feeders. However, according to the environmental assessment, rapid recolonization is expected and the turbidity impacts will be short term. The only alternative that would avoid this impact is not to dredge. That alternative would not accomplish the goals of the project and would create a significant navigational hazard resulting in the closure of Santa Barbara Harbor. Therefore, that alternative is not feasible. Since the impacts from the proposed project will not be significant, implementation of additional mitigation measures would not reduce the environmental impacts.

The major issue raised by this project involves beach disposal of the dredged material. The disposal is proposed to occur between October and April. The material is compatible with the sand on East Beach and would replenish the sand resources on that beach. The Commission finds that this benefit is consistent with Section 30233(b) of the Coastal Act, which encourages beach disposal of compatible dredged material. The disposal activities that will occur between October and the end of February will have minor temporary impacts on marine organisms. Since the resources affected by this activity will quickly restore themselves after dredging is completed, the disposal activities during this period will not significantly disrupt marine habitat and will maintain marine resources. Therefore, the Commission finds that beach disposal of compatible dredged material between October and the end of February will be consistent with Sections 30230 and 30233(b) of the Coastal Act.

However, the disposal during the months of March and April raises potential concerns about impacts on the California grunion, a member of the silversides family (Atherinidae). The grunion use the beaches of Santa Barbara for spawning from March through mid-September, with a peak in activity occurring between April and June. Spawning activity starts with grunion laying eggs in the sand in the high intertidal portions of the beach during high spring tides. The eggs incubate in the sand and hatch during the ascending series of high-tide conditions before the following full or new moon. Beach disposal of dredged material may affect the grunion by prematurely washing grunion eggs out to sea by sand slurry, or burial of eggs so deep as to prevent successful hatching. Discharge of dredged material will occur only in the surf-zone from March 1 through April 30 to minimize impacts to spawning grunion.

During the past five years of maintenance dredging, the Corps has conducted extensive monitoring of impacts to grunion as a result of dredging and disposal. That monitoring has shown little spawning activity during March and April; therefore dredging and disposal as proposed during those months will not have a significant impact on the grunion. However, as a means to minimize any impact on grunion, the Corps has proposed a modified monitoring program in conjunction with the current proposed six year dredging program. Monitoring will include nightly surveys of grunion during March and April if discharge of material is still occurring. The monitoring will ensure that spawning is not beginning to peak earlier in the season due to unusually warm weather or other factors. Monitoring results will be coordinated with the

California Department of Fish and Game and with the California Coastal Commission within 24 hours of the survey; if monitoring indicates a significant number of grunion spawning, mitigation measures will be developed. If necessary, the Corps has agreed to stop work while mitigation measures are developed. Based on this commitment and the results of the previous monitoring, the Commission finds that the project will not significantly affect the grunion and is consistent with Section 30230 and 30233(b) of the Coastal Act.

In conclusion, the Commission finds that the proposed project maintains marine resources as required by Section 30230 of the Coastal Act, complies with the allowable-use, least damaging alternative, and mitigation tests of Section 30233(a), and includes beach disposal compatible dredged material and avoids significant disruption to marine habitat as required by Section 30233(b) of the Coastal Act. Therefore, the Commission finds that the proposed project is consistent with the marine resource policies of the CCMP.

B. Endangered Species. Section 30240 of the Coastal Act provides that:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The proposed project is located in an area utilized by the snowy plover. On March 3, 1993, the federal government listed the Pacific coast population of this species as threatened under the Endangered Species Act. The plover's range extends along the Pacific Coast from southern Canada, through the western United States, and into northern Baja Peninsula. It forages primarily on the dry sand of upper levels of open beaches and in the debris left by high tide. Preferred nesting habitat is in low dunes above outer beaches. On East Beach there is potential nesting habitat for the plover. However, these dunes are currently overgrown with ornamental ice plant and are directly adjacent to a very busy recreational trail. Although plovers are found at the site, there is no documented nesting or breeding activities in the vicinity of the proposed project.

The Corps recently completed a five-year monitoring program to assess potential effects to the snowy plover from dredging projects at the site. The Corps' analysis found that dredging and disposal did not adversely affect the small population of snowy plovers in the project area, if completed by April 30. The Corps proposes to continue with a modified monitoring program in order to minimize impacts to snowy plovers from the proposed project. If discharge continues into March and April, a monitor will walk the project site to determine if plovers are on site. Results will be coordinated with the Coastal Commission and with U.S. Fish and Wildlife Service. If plover nests are observed on the beach near the project site, the Corps will stop work while mitigation measures are developed. If necessary, formal consultation pursuant to the Endangered Species Act will be initiated.

Since the previous Commission approval for maintenance dredging and disposal, tidewater gobies have been found in the lower Mission Creek estuary. Peak nesting activities commence in late

April or early May. Steelhead trout may also occasionally attempt to migrate in the creek. Both of these species are federally protected species. Mission Creek is located at the alternate disposal site. This site will be used only if requested by the City of Santa Barbara to replenish the beach should it become eroded due to flooding and storms. To protect tidewater gobies and steelhead trout, discharge would not occur within the creek and berms would not be placed in a way that would block or affect tidal exchange with Mission Creek. These measures will avoid any impacts to the tidewater goby and the steelhead trout populations. The National Marine Fisheries Services agrees that the proposed project will not impact potential steelhead trout populations in the area. The Commission agrees with this conclusion, and finds that the project is consistent with the environmentally sensitive habitat policy of the CCMP.

C. Access and Recreation. Section 30210 of the Coastal Act provides that:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act provides that:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30220 of the Coastal Act provides that:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30234 of the Coastal Act provides, in part, that:

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded.

The proposed project includes several access and recreational benefits. The main benefit of the project is that it will maintain safe navigation of Santa Barbara Harbor, which is a recreational boat harbor, and thus the project will maintain the harbor's recreational value. Therefore, the Commission finds that the proposed maintenance dredging will protect recreational boating in a manner consistent with Sections 30220 and 30234 of the Coastal Act. In addition, the proposed project includes beach disposal of compatible dredged material. This material will maintain the sand resources of East Beach, which is a major recreational destination within Santa Barbara. Therefore, the Commission finds that the beach disposal will maximize public access and recreational opportunities in a manner consistent with Section 30210 of the Coastal Act.

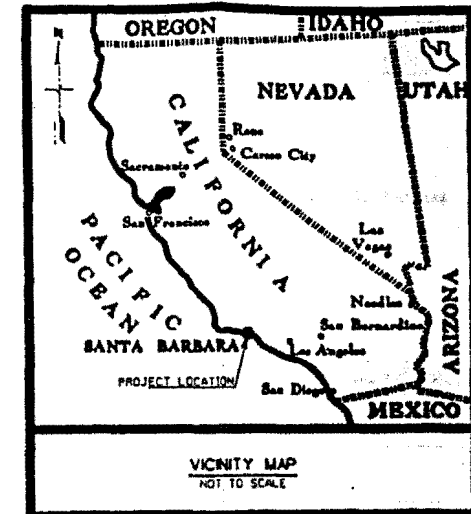
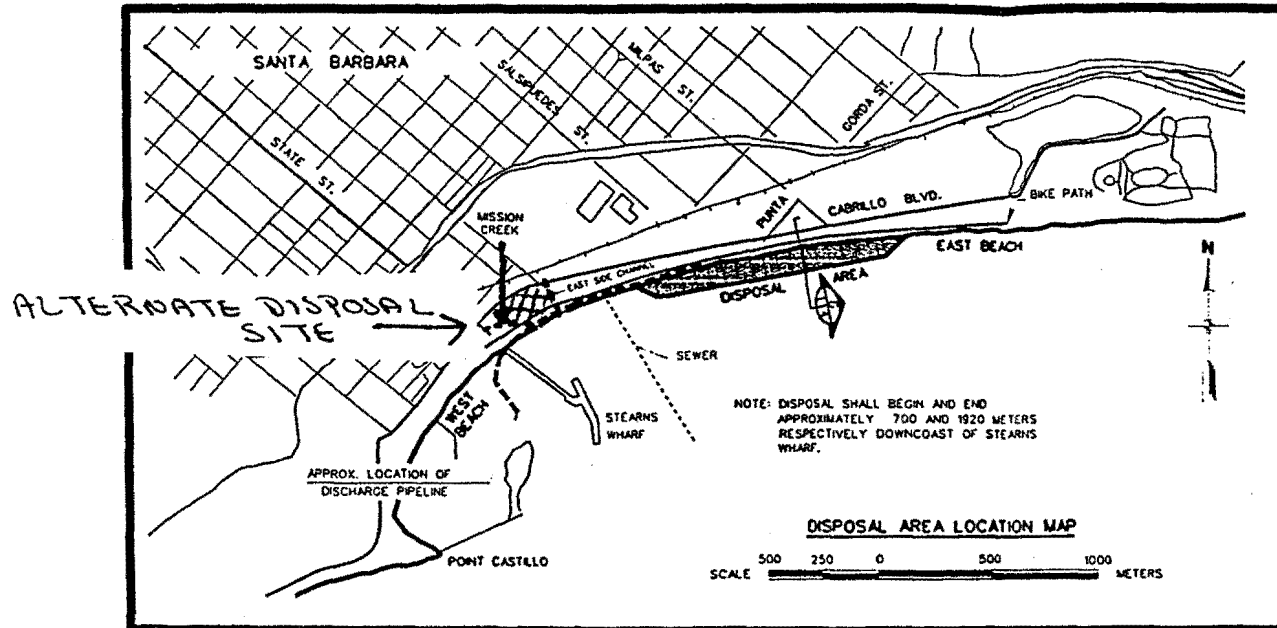
Although the beach disposal of compatible dredged material will benefit sand resources, the disposal can interfere with public access. Potential impacts include construction of a pipeline along the beach, discharge of sand slurry, and placement of discolored and smelly dredged material disposed on the beach. The Corps will minimize the adverse recreational impacts by completing all disposal activities by the end of April, and thus before the peak recreation season. Unburied pipeline will also be removed at the end of the dredge cycle each year, which will further minimize impacts to coastal recreation. Since the recreation impacts from beach disposal will not be significant, the project benefits to access and recreation far outweigh its impacts.

In conclusion, the Commission finds that the project will benefit public access and recreational boating and that the project will not interfere with public access to the shoreline and recreational resources. Therefore, the Commission finds that the proposed project is consistent with the public access and recreation policies of the Coastal Act.



# MAINTENANCE DREDGING SANTA BARBARA HARBOR SANTA BARBARA COUNTY, CALIFORNIA

FIGURE 1



FILE NO.	TITLE	SHEET NO.
X-XXXX	VICINITY MAP, DISPOSAL AREA LOCATION MAP, AND INDEX TO CONTRACT DRAWINGS	1
X-XXXX	DREDGING PLAN	2
X-XXXX	CONDITION SURVEY	3
X-XXXX	PROFILES AND SECTIONS	4
X-XXXX	PLAN OF EXPLORATION	5
X-XXXX	LOGS OF EXPLORATION, VCH-1 THRU VCH-7	6
X-XXXX	LOGS OF EXPLORATION, VCH-8 THRU VCH-13	7
X-XXXX	LOGS OF EXPLORATION, VCH-14 THRU VCH-16 AND HSA-1 THRU HSA-2	8
X-XXXX	LOGS OF EXPLORATION, HSA-3 THRU HSA-6 AND RW38-4,5,11 THRU 14 AND 16	9
X-XXXX	LOGS OF EXPLORATION, RW92-1 THRU RW92-4	10
X-XXXX	LOGS OF EXPLORATION, RW92-5,5A, AND 5B	11

- LEGEND:**
- BEACH DISPOSAL AREA
  - DREDGING AREA
  - PROJECT LIMITS
  - CONTROL STATION
  - PROJECT DEPTH
  - SECTION IDENTIFICATION
  - REFERENCE PLAN SHEET NO.  
REFERENCE SECTION SHEET NO.
  - Alternate Disposal Area

- NOTES:**
- COORDINATES ARE BASED ON THE LAMBERT CONFORMAL PROJECTION FOR ZONE V, STATE OF CALIFORNIA AND REFERENCED TO THE NORTH AMERICAN DATUM (NAD-83 METERS).
  - VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW), E.L. + 0.00 METERS.
  - ALL DIMENSIONS GIVEN ARE IN METERS UNLESS OTHERWISE!

<b>EXHIBIT NO. 1</b>	APPLICATION NO.	CD-48-98	 California Coastal Commission LOS ANGELES
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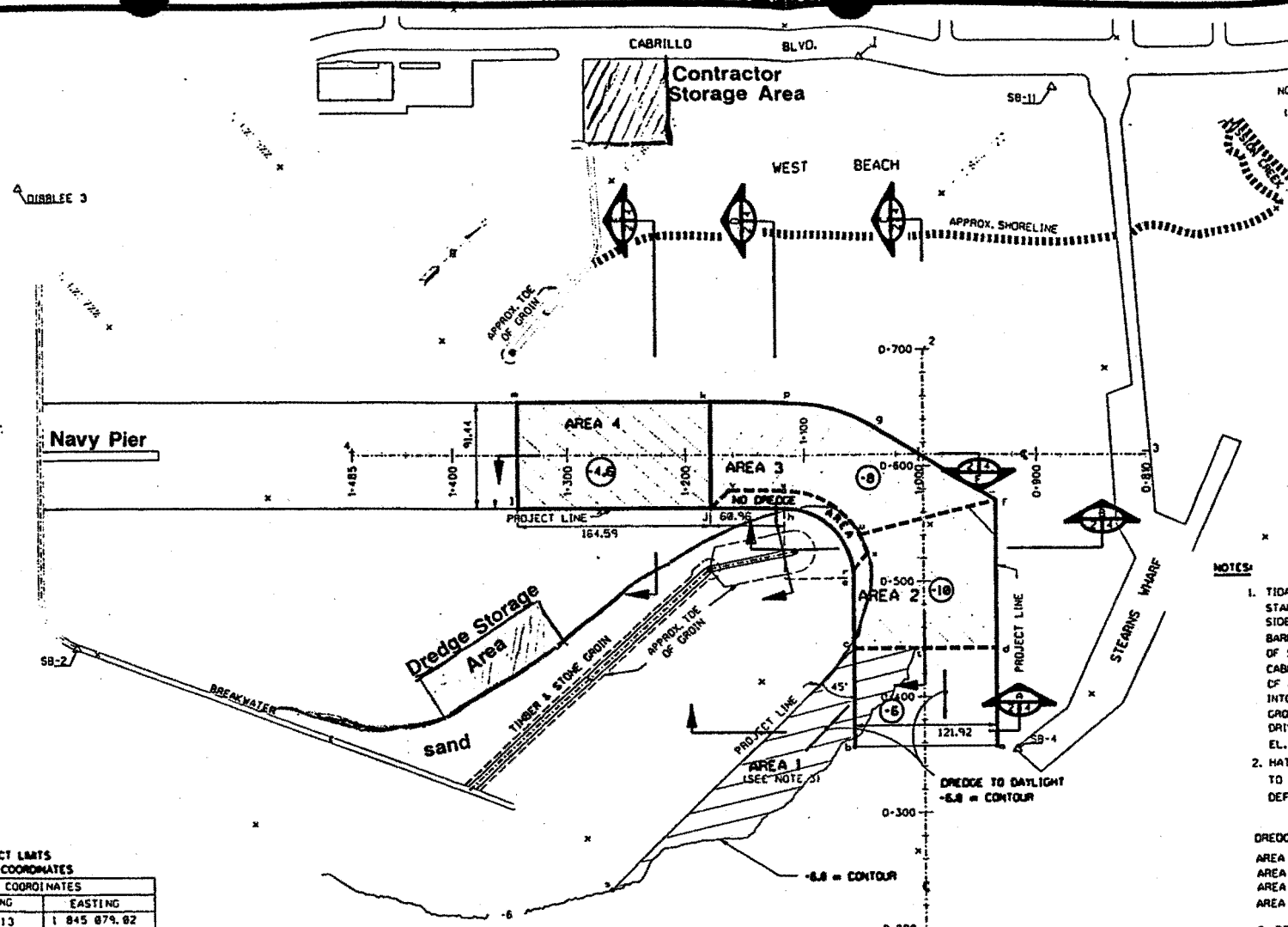


NAVIGATION IMPROVEMENTS  
 SANTA BARBARA COUNTY, CALIFORNIA  
 MAINTENANCE DREDGING

DESIGNED BY: PM  
 DRAWN BY: PR

DATE: 01/11/00

FIGURE 2



**DREDGING PLAN**  
 20 0 20 40 60 80 100 METERS  
 SCALE: 1:2,000

- NOTES:**
- TIDAL BENCH MARK IS A STANDARD NOS SURVEY BENCH STAMPED '1348 J 1977', LOCATED ON A LAMP ON THE SE SIDE OF CABRILLO BLVD. BETWEEN STEARNS ST. AND SANTA BARBARA ST., 80' SW OF THE EXTENSION CENTERLINE OF SANTA BARBARA ST., 28' FROM THE CORNER OF CABRILLO BLVD. AND 11.5' FROM THE INTERSECTION OF OF A SIDEWALK AND THE CONCRETE PAVEMENT LEADING INTO THE PARKING LOT. THE BENCH MARK IS 0.3' BELOW GROUND LEVEL, CRIMPED TO A COPPER-CLAS STEEL ROD DRIVEN 15" AND ENCASED IN A 300 mm PIPE. ELEV. = 3.124 m MLLW, BASED ON 1984 MEAN LOW WATER.
  - HATCHED AREAS INDICATE AREAS TO BE DREDGED AND EACH DREDGING AREA IS DEFINED BY THE FOLLOWING:

**DREDGING AREA**

AREA 1	AREA 2	AREA 3	AREA 4
AREA 1 (SEE NOTE 3)	AREA 2 (ADV. MAINT.)	AREA 3 (ADV. MAINT.)	AREA 4

3. PORTION OF AREA 1 TO BE MAINTENANCE AREA.

**PROJECT LIMITS**  
 LIST OF COORDINATES

STATIONING	EASTING
1.13	1 845 879.82
21.38	1 844 996.59
58.79	1 844 933.94
258.62	1 845 016.37
270.81	1 844 889.82
355.39	1 844 921.91
421.45	1 844 885.32
476.31	1 844 882.89
511.39	1 844 761.69
523.21	1 844 694.39
53.12	1 844 658.39
1.94	1 844 593.82
8.13	1 844 735.52
24.19	1 844 884.86
49.32	1 844 865.82
72.92	1 844 762.75
126.81	1 844 791.66
243.56	1 844 891.25

**TABLE OF CURVE DATA**

R	h-c	P-T	M-T	U-T
R	68.96 m	152.48 m	76.20 m	76.29 m
Δ	98° 09' 00"	31° 16' 18"	69° 31' 02"	12° 58' 26"
L.C.	95.76 m	83.18 m	88.48 m	17.26 m
T	69.96 m	42.65 m	44.45 m	8.66 m

**CONTROL STATIONS**  
 TABLE OF COORDINATES

STA.	COORDINATES		DESCRIPTION
	NORTHING	EASTING	
SB-2	681 498.55	1 844 484.98	PK & WASHER
DI8BLEE 3	681 722.19	1 844 162.81	89 mm USC&S BR. DISK
J	682 327.13	1 844 566.21	89 mm SBC BR. DISK
SB-4	682 821.99	1 845 893.13	PK & WASHER
SB-11	682 438.54	1 844 696.18	51 mm BR. DISK

**CHANNEL ALIGNMENTS**  
 TABLE OF COORDINATES

PT.	COORDINATES		DESCRIPTION
	NORTHING	EASTING	
1	681 724.65	1 845 391.87	STA. 8+899
2	682 197.92	1 844 785.38	STA. 8+788
3	682 274.86	1 844 977.37	STA. 8+818
4	681 776.72	1 844 528.99	STA. 1+485

EXHIBIT NO. 2  
 APPLICATION NO.  
 SD-48-98

NO.	DESCRIPTION	DATE APPROVED

NAVIGATION IMPROVEMENTS  
 SANTA BARBARA COUNTY, CALIFORNIA  
 MAINTENANCE DREDGING  
 SANTA BARBARA HARBOR

DREDGING PLAN

California Coastal Commission

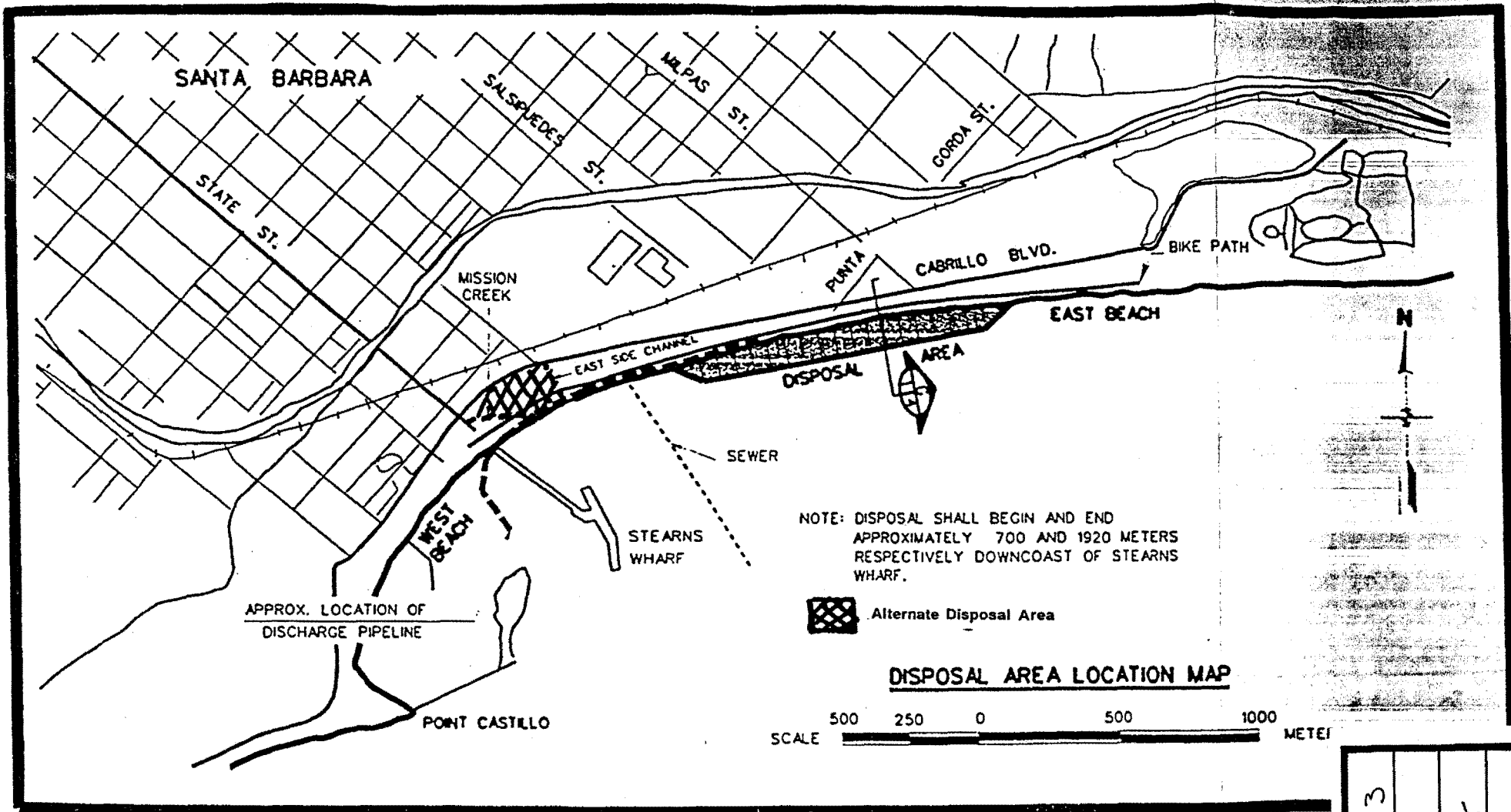


EXHIBIT NO. 3
APPLICATION NO.
8-48-98
California Coastal Commission